

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

INGENIADOR, LLC,

Plaintiff,

v.,

ALFRESCO SOFTWARE, INC.; *et al.*,

Defendants.

Docket No. 11-cv-01840-GAG

**INFORMATICA CORPORATION'S MOTION
FOR EXTENSION OF TIME
TO PLEAD OR OTHERWISE DEFEND**

TO THE HONORABLE COURT:

Informatica Corporation ("Informatica") specially appearing and without submitting to the personal or subject matter jurisdiction of this Court, through counsel, without waiving any defense¹, respectfully moves and prays as follows:

1. On or about September 15, 2011, plaintiff attempted to serve process upon Informatica.
2. Assuming service of process was proper upon Informatica, which the specially appearing party reserves the right to contest it was not, the 21-day term found in Rule 4 of the Federal Rules of Civil Procedure ("FRCP") to plead or otherwise defend

¹ This Motion is without prejudice to Informatica's legal rights and defenses, none of which are waived, including but not limited to the defenses enumerated in Rules 12(b)(1) through (7) of the Federal Rules of Civil Procedure for: lack of subject-matter jurisdiction; lack of personal jurisdiction; improper venue; insufficient process; insufficient service of process; failure to state a plausible claim upon which relief can be granted; failure to join a party under Rule 19; as well as under the doctrine of *Forum Non Conveniens* or any other available defensive motion that counsel may discover while defending Informatica.

expires on October 6, 2011 and counsel will need more time to prepare Informatica's defenses.

3. Local Civil Rule 6(a) grants Informatica an automatic 30-day extension to answer or otherwise defend in addition to the 21-days granted by FRCP 4, such additional term to expire on November 7, 2011.

4. Local counsel for Informatica prays for an extension to respond to the complaint or otherwise defend until November 7, 2011.

5. Such an extension will secure the speedy, fair and economic resolution of the issues pending between Informatica and plaintiff.

6. Indeed, counsel for plaintiff agreed to grant such a 30-day extension to Jonah Mitchell, Esq., trial patent counsel for Informatica and plaintiff will not be harmed by the extension sought.

WHEREFORE, Informatica respectfully moves for an extension of time until November 7, 2011 to answer or otherwise defend in this case.

Respectfully submitted. In San Juan, Puerto Rico, this 5th day of October, 2011.

I CERTIFY that on this same date, I presented the foregoing to the Clerk of the Court for filing and uploading to the CM/ECF system which will send an automatic electronic notification of such filing to all counsel of record.

FOR INFORMATICA CORPORATION

/s/ Diego A. Ramos

Diego A. Ramos (Bar No. 127513)

FIDDLER, GONZALEZ & RODRIGUEZ, PSC

P. O. Box 363507

San Juan, P. R. 00936-3507

Tel. 787-759-3162

Fax 787-759-3123

e-mail: dramos@fgrlaw.com